

Exhibit 11

1 JENNIFER JEHN

2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

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4 SANDRA GUZMAN,

Plaintiff,

5 -against- 09CIV9323 (BSJ) (RLE)

6 NEWS CORPORATION, NYP HOLDINGS, INC., d/b/a
7 THE NEW YORK POST, and COL ALLAN, in his
8 official and individual capacities,

Defendants.

9 -----X

10 AUSTIN FENNER and IKIMULISA LIVINGSTON,

11

Plaintiffs,

12 -against- 09CIV9832 (BSJ) (RLE)

13 NEWS CORPORATION, NYP HOLDINGS, INC., d/b/a
14 THE NEW YORK POST and DAN GREENFIELD and
MICHELLE GOTTHELF,

15 Defendants.

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18 VIDEOTAPED DEPOSITION OF JENNIFER JEHN

19 New York, New York

20 Tuesday, June 26, 2012

21

22 REPORTED BY: BARBARA R. ZELTMAN

(BOBBIE)

23 Professional Stenographic Reporter

24

25 Job Number: 51052

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1 JENNIFER JEHN
 2 lawyer/specialist who I relied on to conduct
 3 investigations.
 4 Q Other than -- was it one employment
 5 lawyer?
 6 A I don't recall.
 7 Q Did you learn how to conduct an
 8 investigation about allegations of
 9 employment discrimination before you began
 10 working for The New York Post?
 11 MR. LERNER: Objection.
 12 A I don't recall.
 13 Q So you don't recall any knowledge
 14 you acquired prior to joining The New York
 15 Post with respect to conducting an
 16 investigation about employment
 17 discrimination?
 18 MR. LERNER: Objection.
 19 A Can you repeat the question?
 20 MR. CLARK: Could you read the
 21 question back.
 22 (Requested portion of record read:
 23 "Q. So you don't recall any
 24 knowledge you acquired prior to joining
 25 The New York Post with respect to

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1 JENNIFER JEHN
 2 Lippner.
 3 Q Were there any other lawyers that
 4 you learned from about how to conduct an
 5 investigation about employment
 6 discrimination?
 7 A Yes.
 8 Q Who were these other lawyers?
 9 A Jan Constantine.
 10 Q Who is Jan Constantine?
 11 MR. LERNER: Hold on.
 12 Were you done with your prior
 13 answer?
 14 THE WITNESS: Yes.
 15 Q So who is Jan Constantine?
 16 A Jan Constantine was a lawyer that I
 17 had access to when I became head of -- when
 18 I was in Human Resources.
 19 Q Who did Jan Constantine work for?
 20 A I don't know.
 21 Q When Jordan Lippner assisted you in
 22 learning about how to conduct an
 23 investigation, who did he work for?
 24 A I don't know who Jordan Lippner
 25 works for.

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1 JENNIFER JEHN
 2 conducting an investigation about
 3 employment discrimination?")
 4 (End of read-back.)
 5 MR. LERNER: If you understand
 6 the question, answer it. If you
 7 don't, tell Mr. Clark that you don't
 8 understand the question.
 9 A Can you repeat it one more time?
 10 (Requested portion of record read:
 11 "Q. So you don't recall any
 12 knowledge you acquired prior to joining
 13 The New York Post with respect to
 14 conducting an investigation about
 15 employment discrimination?")
 16 (End of read-back.)
 17 A I've been managing Human Resources
 18 for years prior to The New York Post and I
 19 learned how to conduct investigations within
 20 that experience.
 21 Q Okay.
 22 Well, you mentioned you learned
 23 from a particular lawyer.
 24 Who was that lawyer?
 25 A One of the lawyers is Jordan

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1 JENNIFER JEHN
 2 Q Is Jordan Lippner an attorney for
 3 NewsCorp.?
 4 MR. LERNER: Objection.
 5 A I don't know who Jordan Lippner
 6 works for.
 7 Q That wasn't the question. Is
 8 Jordan Lippner an attorney for NewsCorp.?
 9 MR. LERNER: Objection.
 10 A I don't know who Jordan Lippner
 11 works for.
 12 Q I'm not asking who he works for.
 13 I'm asking you is he an attorney for
 14 NewsCorp.?
 15 MR. LERNER: Objection.
 16 Q If you don't know, you don't know,
 17 but saying you don't know who he works for
 18 is not responsive.
 19 MR. LERNER: Objection.
 20 A I don't know who Jordan Lippner
 21 works for.
 22 Q Who did Jan Constantine work for?
 23 Actually, step back.
 24 Was Jan Constantine a NewsCorp.
 25 lawyer?

<p style="text-align: right;">Page 66</p> <p>1 JENNIFER JEHN</p> <p>2 Q Had Chris Shaw ever come to your</p> <p>3 office and shown you a cartoon other than</p> <p>4 this cartoon?</p> <p>5 A I don't recall.</p> <p>6 Q So did Chris Shaw have a particular</p> <p>7 reason he wanted to bring this cartoon to</p> <p>8 your attention, as far as you know?</p> <p>9 MR. LERNER: Objection.</p> <p>10 A I don't know what his reason was.</p> <p>11 Q Do you believe the cartoon is</p> <p>12 racist?</p> <p>13 MR. LERNER: Objection.</p> <p>14 A I do not.</p> <p>15 Q Do you find the cartoon offensive</p> <p>16 in any way?</p> <p>17 A I believe the cartoon puts a parody</p> <p>18 of a story about a chimpanzee in Connecticut</p> <p>19 and the stimulus bill.</p> <p>20 Q Are you aware of the history of</p> <p>21 African-Americans being depicted as apes and</p> <p>22 monkeys?</p> <p>23 MR. LERNER: Objection.</p> <p>24 A I am aware of that.</p> <p>25 Q Were you aware of that history in</p>	<p style="text-align: right;">Page 67</p> <p>1 JENNIFER JEHN</p> <p>2 February of 2009?</p> <p>3 A Yes, I am aware of that.</p> <p>4 Q So being aware of that history, do</p> <p>5 you understand why a person of color could</p> <p>6 find this cartoon offensive?</p> <p>7 MR. LERNER: Objection.</p> <p>8 Do you understand the question?</p> <p>9 A I don't understand the question.</p> <p>10 MR. CLARK: Could you read it</p> <p>11 back?</p> <p>12 (Requested portion of record read:</p> <p>13 "Q. So being aware of that</p> <p>14 history, do you understand why a person</p> <p>15 of color could find this cartoon</p> <p>16 offensive?")</p> <p>17 (End of read-back.)</p> <p>18 MR. LERNER: I'm going to</p> <p>19 object to the question.</p> <p>20 You can answer it if you are able.</p> <p>21 A I understand if someone interpreted</p> <p>22 the cartoon that way that it could be</p> <p>23 offensive to them.</p> <p>24 Q And do you believe that this</p> <p>25 cartoon is objectively offensive to</p>
<p style="text-align: right;">Page 68</p> <p>1 JENNIFER JEHN</p> <p>2 employees of color?</p> <p>3 MR. LERNER: "Objectively</p> <p>4 offensive"?</p> <p>5 MR. CLARK: Right.</p> <p>6 MR. LERNER: Objection.</p> <p>7 A I don't understand what you mean by</p> <p>8 "objectively offensive."</p> <p>9 Q Not in your opinion. I've already</p> <p>10 asked you if you think it's offensive.</p> <p>11 Do you think it is offensive to</p> <p>12 people of color?</p> <p>13 A I think that a person of color</p> <p>14 could be offended by the cartoon. I also</p> <p>15 think a Caucasian could be offended by the</p> <p>16 cartoon.</p> <p>17 I think that a person could be</p> <p>18 offended by the content of the cartoon if</p> <p>19 they interpreted it the way you described.</p> <p>20 Q What do you mean by "the way I</p> <p>21 described"?</p> <p>22 A If a person, whether black or</p> <p>23 white, interpreted the cartoon and the</p> <p>24 monkey as a person of color, then that</p> <p>25 person could be offended by that.</p>	<p style="text-align: right;">Page 69</p> <p>1 JENNIFER JEHN</p> <p>2 Q You mentioned earlier that Chris</p> <p>3 Shaw had told you that people thought the</p> <p>4 cartoon was racist.</p> <p>5 Do you know why people thought the</p> <p>6 cartoon was racist?</p> <p>7 MR. LERNER: Objection.</p> <p>8 A I don't know why a person -- I</p> <p>9 don't know why.</p> <p>10 Q Did anyone ever explain to you why</p> <p>11 that any particular individual thought the</p> <p>12 cartoon was racist?</p> <p>13 A People complained about the</p> <p>14 cartoon, the content of the cartoon, as they</p> <p>15 thought the content of the cartoon was</p> <p>16 racist.</p> <p>17 Q Do you understand the basis for why</p> <p>18 people complaining about the cartoon thought</p> <p>19 it was racist?</p> <p>20 MR. LERNER: Objection.</p> <p>21 A I don't understand what you are</p> <p>22 asking me.</p> <p>23 Q What's your understanding of why</p> <p>24 people thought this cartoon was racist?</p> <p>25 MR. LERNER: You want her to</p>

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1 JENNIFER JEHN
 2 space something that I thought was racially
 3 or sexually inappropriate and I saw it, I
 4 would talk to them about that.
 5 Q Okay.
 6 So is it part of your job, then, to
 7 be sensitive to racial depictions in the
 8 workplace?
 9 MR. LERNER: Objection.
 10 A I still don't understand what you
 11 mean by "racial depiction in the workplace."
 12 Q Was it part of your job to help
 13 ensure that there are not racially offensive
 14 actions or depictions going on in the
 15 workplace when you were head of HR of The
 16 New York Post?
 17 MR. LERNER: Objection.
 18 A Any thought that there was a racial
 19 depiction in the work operation or sexual
 20 picture in the workplace, I would ask about
 21 that.
 22 Q And is it your testimony this
 23 cartoon, Jehn 1, is not racially offensive?
 24 MR. LERNER: Objection.
 25 Q Your personal opinion.

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1 JENNIFER JEHN
 2 "Q. So your testimony is no, you
 3 do not regard the cartoon as racially
 4 offensive?"
 5 (End of read-back.)
 6 MR. LERNER: I don't know if
 7 this question is going to be
 8 continued to be asked.
 9 Q I'm sorry. I don't think you
 10 answered the last question.
 11 A I need the question repeated.
 12 Q Do you believe this cartoon is
 13 racially offensive? Not other people, just
 14 you.
 15 MR. LERNER: Objection. Asked
 16 and answered.
 17 You asked that exact question.
 18 Q And what was your answer?
 19 MR. CLARK: Mr. Lerner, this is
 20 a yes or a no question. Either she
 21 does or she doesn't. I don't need a
 22 speech.
 23 MR. LERNER: She answered it.
 24 MR. CLARK: Did she answer it
 25 yes or did she answer it no?

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1 JENNIFER JEHN
 2 A Could you repeat that question,
 3 please.
 4 MR. CLARK: Could you read it
 5 back, please.
 6 (Requested portion of record read:
 7 "Q. And is it your testimony this
 8 cartoon, Jehn 1, is not racially
 9 offensive?"
 10 (End of read-back.)
 11 A I believe that the cartoon and
 12 understand that the cartoon could be
 13 offensive to some people.
 14 Q That's not the question.
 15 I asked you, in your opinion is
 16 this cartoon a racially offensive?
 17 A When I saw the cartoon, the cartoon
 18 was not racially offensive to me. I
 19 understand that the cartoon could be
 20 racially offensive to some people.
 21 Q So your testimony is no, you do not
 22 regard the cartoon as racially offensive?
 23 MR. LERNER: Objection.
 24 A I need you to repeat that question.
 25 (Requested portion of record read:

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1 JENNIFER JEHN
 2 MR. LERNER: She answered,
 3 "When I saw the cartoon, the cartoon
 4 was not racially offensive to me."
 5 BY MR. CLARK:
 6 Q Did you ever speak with Col Allan
 7 about the intent of the cartoon?
 8 A No.
 9 Q Did you ever speak with any other
 10 editors of The New York Post about the
 11 intent of the cartoon?
 12 A No.
 13 Q Is it your testimony that the
 14 cartoon was not intended to be offensive?
 15 MR. LERNER: Objection.
 16 A Could you repeat that question,
 17 please.
 18 Q Is it your testimony that the
 19 cartoon was not intended to be offensive?
 20 MR. LERNER: Objection.
 21 Hold on. I'm sorry. You are
 22 asking her what the intention of the
 23 editors who published it was?
 24 BY MR. CLARK:
 25 Q Do you believe the cartoon was

1 JENNIFER JEHN
 2 A He didn't say what they were saying
 3 specifically. He did say that some
 4 employees thought the content of the cartoon
 5 was racist.
 6 Q So after Chris Shaw told you that
 7 some employees thought that the cartoon was
 8 racist, why did you take it upon yourself to
 9 walk the floors and listen to the comments?
 10 MR. LERNER: Objection.
 11 A Can I ask you to repeat the
 12 question, please.
 13 Q Let me withdraw and back up.
 14 Did Chris Shaw tell you how many
 15 employees thought the cartoon was racist?
 16 A He did not tell me how many.
 17 Q Did you ask him?
 18 A I did not.
 19 Q Why didn't you ask him?
 20 A I didn't.
 21 Q As head of HR, were you concerned
 22 that employees were complaining that the
 23 paper had run a racist cartoon?
 24 MR. LERNER: Objection.
 25 A I wanted to know what the employees

1 JENNIFER JEHN
 2 MR. LERNER: Objection.
 3 Q I know you didn't ask him. I want
 4 to know why not, as head of HR. So why not?
 5 A When Chris Shaw explained to me or
 6 came to me and said that employees were
 7 talking about the cartoon, I went out into
 8 the floors and I started talking to
 9 employees about the content of the cartoon
 10 and how they felt about the cartoon.
 11 Q Why did you not --
 12 MR. THOMPSON: Mr. Lerner, we
 13 are going ask you to instruct the
 14 witness to answer Mr. Clark's next
 15 question so we don't have to call the
 16 Court. The question is
 17 straightforward and we just want an
 18 answer to that question. It's not
 19 about what she did after she spoke to
 20 Chris Shaw.
 21 The question is why didn't she ask
 22 Chris Shaw how many employees found the
 23 cartoon to be racist.
 24 Will you instruct her to answer the
 25 question, please.

1 JENNIFER JEHN
 2 of The New York Post, what they were saying
 3 about the content of the cartoon.
 4 Q So you are saying yes, it was a
 5 concern as head of HR that the employees
 6 were saying that The Post had run a racist
 7 cartoon?
 8 MR. LERNER: Objection.
 9 A When I heard that the employees
 10 were talking about and some employees
 11 thought the content of the cartoon was
 12 racist, I went out of my office to listen
 13 and to talk to them.
 14 Q So why didn't you ask Chris Shaw
 15 who was making these comments before you
 16 left the office?
 17 MR. LERNER: Objection.
 18 Q Can you answer the question?
 19 A I do need you to repeat the
 20 question, please.
 21 Q Why didn't you ask Chris Shaw how
 22 many of these employees were complaining
 23 about the cartoon?
 24 A I didn't ask him how many.
 25 Q Why not?

1 JENNIFER JEHN
 2 MR. LERNER: I think she
 3 understands the question, and I think
 4 she understands her role at the
 5 deposition. And you are asking her
 6 why she didn't do something that she
 7 didn't do three years ago in a
 8 conversation that the testimony
 9 suggests took a few seconds. And
 10 she's explained that she went out to
 11 the floor to learn the facts herself.
 12 So I don't know why you are
 13 badgering this witness with this
 14 particular question that she has
 15 attempted to answer multiple times.
 16 MR. THOMPSON: Let's take a
 17 break.
 18 THE VIDEOGRAPHER: The time is
 19 12:16. We're going off the record.
 20 (A brief recess was
 21 taken.)
 22 THE VIDEOGRAPHER: The time is
 23 12:29 p.m. We're back on the record.
 24 MR. CLARK: Bobbie, could you
 25 just read back that last section?

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1 JENNIFER JEHN
 2 MR. LERNER: Mr. Thompson,
 3 Mr. Thompson, this record -- I will
 4 print this record and send the whole
 5 thing to the judge.
 6 MR. THOMPSON: Do so.
 7 MR. LERNER: And let him look
 8 at this.
 9 MR. THOMPSON: Good.
 10 MR. LERNER: Go ahead and
 11 answer the question.
 12 A I do need you to repeat the
 13 question now.
 14 MR. CLARK: Could you read the
 15 question back?
 16 (Requested portion of record read:
 17 "Q. I thought you testified
 18 earlier it was important to know which
 19 New York Post employees believed the
 20 cartoon was racist.
 21 "Wasn't that your testimony?")
 22 (End of read-back.)
 23 MR. CLARK: So let me restate
 24 that.
 25 Q Do you believe it was important to

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1 JENNIFER JEHN
 2 the published content and employees that
 3 weren't concerned about the publish -- but I
 4 did not -- but it wasn't important about
 5 which.
 6 Q It was not important which
 7 employees felt the cartoon was racist?
 8 A I did not make a distinction on
 9 which.
 10 Q That's not the question. It's a
 11 simple question: Did you think it was
 12 important to know which employees believed
 13 the cartoon was racist?
 14 MR. LERNER: Objection.
 15 A It mattered to me -- it was
 16 important to me -- it mattered to me that I
 17 talked to as many employees as I could about
 18 their concerns, because if they were upset
 19 about the content of the published cartoon,
 20 it wasn't important to me to distinguish
 21 which.
 22 Q So, no, it was not important for
 23 you to know which employees believed the
 24 cartoon was racist.
 25 Is that your testimony?

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1 JENNIFER JEHN
 2 find out which specific employees believed
 3 the cartoon was racist?
 4 MR. LERNER: Objection.
 5 A I believe it was important to find
 6 out that employees were concerned about the
 7 content of the cartoon. I wasn't focused on
 8 specifically which employees. I was focused
 9 on employees.
 10 Q So you did not think it was
 11 important to identify which employees
 12 believed the cartoon was racist?
 13 MR. LERNER: Objection.
 14 A I wasn't focused on which
 15 employees.
 16 Q That's not the question.
 17 Could you read the question back,
 18 Bobbie?
 19 (Requested portion of record read:
 20 "Q. So you did not think it was
 21 important to identify which employees
 22 believed the cartoon was racist?")
 23 (End of read-back.)
 24 A I thought it was important to focus
 25 on the employees that were concerned about

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1 JENNIFER JEHN
 2 MR. LERNER: Objection.
 3 A It wasn't important to me to
 4 distinguish which employees were.
 5 Q Okay.
 6 So you didn't ask Mr. Shaw which
 7 employees had complained to him because it
 8 was not important to you to find out which
 9 employees had complained about it?
 10 MR. LERNER: Objection.
 11 You can answer this question.
 12 We're going to need a lunch break. It's
 13 after a 1:00.
 14 Go ahead and answer his question.
 15 A I did not ask Mr. Shaw which
 16 employees he spoke to.
 17 Q I understand that.
 18 The question is: Was the reason
 19 you didn't ask him because you didn't think
 20 it was important which employees found the
 21 cartoon to be racist?
 22 MR. LERNER: Objection.
 23 A I didn't ask Mr. Shaw which
 24 employees that he had talked to because I
 25 intended to go out and talk to the employees

<p style="text-align: right;">Page 126</p> <p>1 JENNIFER JEHN</p> <p>2 Q You said this meeting was brief.</p> <p>3 How long would you say it was?</p> <p>4 A Les than five minutes.</p> <p>5 Q Now, was this a meeting that had</p> <p>6 been previously scheduled with Chris Shaw?</p> <p>7 A No.</p> <p>8 Q So did Chris Shaw come to you</p> <p>9 specifically to talk about the cartoon?</p> <p>10 MR. LERNER: Objection.</p> <p>11 A He came to my office and talked</p> <p>12 about the cartoon there.</p> <p>13 Q Did you talk about anything other</p> <p>14 than the cartoon?</p> <p>15 MR. LERNER: Objection.</p> <p>16 A I don't recall.</p> <p>17 Q So my question was: Was this</p> <p>18 meeting with Mr. Shaw specifically to talk</p> <p>19 about the cartoon?</p> <p>20 MR. LERNER: Objection.</p> <p>21 A We talked about the cartoon. I</p> <p>22 don't recall if he came specifically to talk</p> <p>23 about the cartoon.</p> <p>24 Q But you didn't talk about anything</p> <p>25 else but the cartoon?</p>	<p style="text-align: right;">Page 127</p> <p>1 JENNIFER JEHN</p> <p>2 A I don't remember.</p> <p>3 Q Besides Chris Shaw telling you that</p> <p>4 employees thought the cartoon was racist, do</p> <p>5 you recall anything else that Chris Shaw</p> <p>6 said during that meeting?</p> <p>7 MR. LERNER: Objection.</p> <p>8 A I don't remember.</p> <p>9 Q Do you recall any comments that you</p> <p>10 made to Chris Shaw when he told you that</p> <p>11 employees thought the cartoon was racist?</p> <p>12 A I don't.</p> <p>13 Q You don't remember a single</p> <p>14 statement you made to Chris Shaw during this</p> <p>15 five-minute meeting?</p> <p>16 MR. LERNER: Objection.</p> <p>17 A I don't.</p> <p>18 Q Did you ever make any efforts to</p> <p>19 find out which employees -- strike that.</p> <p>20 Did Chris Shaw tell you that Sandra</p> <p>21 Guzman told him that she believed the</p> <p>22 cartoon was racist?</p> <p>23 MR. LERNER: Objection. Asked</p> <p>24 and answered.</p> <p>25 A He did not.</p>
<p style="text-align: right;">Page 128</p> <p>1 JENNIFER JEHN</p> <p>2 Q Did you ever make any specific</p> <p>3 attempt to identify which New York Post</p> <p>4 employees had spoken to Chris Shaw about the</p> <p>5 cartoon when you found out in that first</p> <p>6 conversation?</p> <p>7 A I did not.</p> <p>8 Q So you never sent like an e-mail or</p> <p>9 anything around trying to identify people</p> <p>10 who had spoken to Chris Shaw?</p> <p>11 A No.</p> <p>12 Q Why not?</p> <p>13 MR. LERNER: Objection.</p> <p>14 A Can you repeat that question?</p> <p>15 Q Why did you make no attempt to find</p> <p>16 out who had complained to Chris Shaw about</p> <p>17 the cartoon being racist?</p> <p>18 A I didn't because I was dealing with</p> <p>19 an employee relations issue and how people</p> <p>20 felt about the content of the cartoon and</p> <p>21 that they were offended by the content of</p> <p>22 the cartoon, and I wasn't conducting an</p> <p>23 investigation.</p> <p>24 MR. LERNER: Hold on.</p> <p>25 By the way, I'm going to object to</p>	<p style="text-align: right;">Page 129</p> <p>1 JENNIFER JEHN</p> <p>2 that question. I thought you were going</p> <p>3 to repeat the exact same question, but</p> <p>4 you didn't, so I'm making my objection</p> <p>5 now to the prior question.</p> <p>6 Q What do you mean you were not</p> <p>7 conducting an investigation?</p> <p>8 A I heard employees -- I heard from</p> <p>9 Chris Shaw that employees were talking about</p> <p>10 the content of the cartoon, and I was -- as</p> <p>11 the head of Human Resources I was concerned</p> <p>12 that people were upset. And I was talking</p> <p>13 and making sure that they were okay and</p> <p>14 letting them know it was okay to feel like</p> <p>15 they were feeling about the content of the</p> <p>16 cartoon.</p> <p>17 Q You testified earlier that Chris</p> <p>18 Shaw had told you that some employees</p> <p>19 believed the cartoon was racist, correct?</p> <p>20 MR. LERNER: Objection.</p> <p>21 A Yes.</p> <p>22 Q Didn't you also testify that Chris</p> <p>23 Shaw did not tell you whether or not</p> <p>24 employees were upset about the cartoon?</p> <p>25 MR. LERNER: Do you follow the</p>

1 JENNIFER JEHN
 2 question?
 3 THE WITNESS: I don't.
 4 Q During your conversation with Chris
 5 Shaw, did Chris Shaw tell you that some
 6 employees were upset about the cartoon?
 7 MR. LERNER: Objection. Asked
 8 and answered.
 9 A He didn't.
 10 Q Didn't you just testify that people
 11 were upset and you wanted to make sure about
 12 what was going on?
 13 MR. LERNER: Objection.
 14 You can answer.
 15 A I didn't hear that from Chris Shaw
 16 and I remember on my own that they were
 17 upset.
 18 Q So that was something you found out
 19 later. It was not during the conversation
 20 with Chris Shaw?
 21 A Yes, I found that out on my own.
 22 Q So I guess I'm still not sure what
 23 you mean when you said you were not doing an
 24 investigation. This was a Human Resources
 25 matter, right, but you were not doing an

1 JENNIFER JEHN
 2 embarrassed by?
 3 A The employees that thought the
 4 cartoon was racist were upset that they
 5 would be associated with the cartoon.
 6 MR. LERNER: Ms. Jehn, next
 7 time Mr. Thompson leans over to speak
 8 to Mr. Clark, you can stop your
 9 answer and wait for him to finish
 10 because it's distracting. It's
 11 distracting you.
 12 So stop your answer, let them
 13 finish their conversation, and then you
 14 can continue.
 15 Q Ms. Jehn --
 16 MR. THOMPSON: Please let the
 17 record also reflect that every time
 18 Jordan Lippner leans over and talks
 19 to you and tells you when to object,
 20 Mr. Lerner, that is distracting.
 21 Q Ms. Jehn, what specifically did
 22 employees complain about in the cartoon
 23 being racist?
 24 A I don't recall specifically. They
 25 complained that the cartoon was racist.

1 JENNIFER JEHN
 2 investigation?
 3 MR. LERNER: Objection.
 4 What's the question?
 5 Q What do you mean when you say you
 6 were not doing an investigation?
 7 A I was dealing with the employees
 8 being upset and -- some of the employees
 9 being upset and embarrassed about the
 10 content of the cartoon that was published in
 11 the newspaper. I was not dealing with
 12 any -- with the employees complaining about
 13 their work environment or workplace. I was
 14 dealing with them being upset and
 15 embarrassed and having feelings about and
 16 what they believed the content of the
 17 cartoon meant to them.
 18 Q In general, what the employees
 19 upset about, that were upset?
 20 MR. LERNER: Objection.
 21 A The employees were upset about the
 22 content of the published cartoon. Some
 23 thought it was racist.
 24 Q And the employees who were
 25 embarrassed by the cartoon, what were they

1 JENNIFER JEHN
 2 Q But none of the employees you spoke
 3 to explained the basis for that belief?
 4 A I don't recall their specific
 5 reasons.
 6 Q And can you recall specifically why
 7 they were embarrassed by the cartoon?
 8 A For those employees that
 9 interpreted the cartoon and believed that
 10 the cartoon was racist, they were
 11 embarrassed because The Post had published a
 12 cartoon that contained content that they had
 13 thought was racist.
 14 Q But why were they embarrassed by
 15 that?
 16 MR. LERNER: Objection.
 17 A They were embarrassed because they
 18 worked at The New York Post and The New York
 19 Post had published a cartoon in their belief
 20 that was racist.
 21 Q Did you ever send an e-mail to
 22 employees of The New York Post to try to
 23 identify the different employees who
 24 believed that the cartoon was racist?
 25 MR. LERNER: Objection.